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NOTE: Pursuant to Fed. Cir. R. 47.6, this disposition is not citable as precedent. It is a public record. The disposition will appear in tables published periodically.

United States Court of Appeals for the Federal Circuit

99-3182

RANDOLPH CREWS,

Petitioner,

v.

DEPARTMENT OF THE ARMY,

Respondent.

DECIDED: October 8, 1999

Before MICHEL, Circuit Judge, FRIEDMAN, Senior Circuit Judge, and BRYSON, Circuit Judge.

PER CURIAM.

DECISION

Randolph Crews appeals from a decision of the Merit Systems Protection Board ("Board" or "MSPB"), dismissing his appeal for lack of jurisdiction. Because Mr. Crews has not demonstrated that the Board erred in dismissing his appeal, we affirm.

BACKGROUND

Mr. Crews was a GS-4 Voucher Examiner with the Travel division of the Army's 266th Theater Finance Command in Germany when he was terminated during his probationary period, effective March 10, 1995, for excessive absenteeism, failure to

follow proper leave request procedures, and absence without leave. On February 20, 1995, after being notified that he was to be terminated, Mr. Crews sent a letter to the Inspector General ("IG") in which he stated that he was not being paid according to his prior federal service in time and grade while another employee who had a "free ride at a GS-11 status" had "moved on to a GS-12 position with renewal travel agreement benefit."

In a letter dated April 1998, Mr. Crews sought corrective action from the United States Office of Special Counsel ("OSC") alleging his dismissal was in reprisal to whistleblowing activities. In the letter, Mr. Crews alleged that his supervisors "have engaged in a prohibited personnel practice to committ [sic] fraud against the government." Mr. Crews further alleged that creating a job for another employee was a "gross mismanagement of funds" and provided a travel voucher as evidence that the other employee was "enriching himself at the government's expense." The OSC did not take corrective action and closed its files on April 27, 1998. Mr. Crews appealed to the MSPB.

On May 29, 1998, the MSPB issued an order to show cause notifying Mr. Crews that he must file evidence and argument to establish that his appeal was within the Board's jurisdiction. The Board specifically informed Mr. Crews that he must show that he engaged in whistleblower activity by making a disclosure protected under 5 U.S.C. § 2302(b)(8) of the Whistleblower Protection Act, i.e., he disclosed information that he reasonably believed evidenced a violation of law, rule, or regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health and safety. In response, Mr. Crews stated that the

"giving unauthorized preferential treatment" to another employee is proof that the provisions of section 2302(b)(8) have been met.

The Board dismissed Mr. Crews' appeal for lack of jurisdiction reasoning that Mr. Crews failed to make allegations which, if proven, would establish that he made disclosures protected under the Whistleblower Protection Act.

Mr. Crews petitioned the full MSPB for review of the Board's initial decision. The MSPB denied the petition reasoning that it did not meet the criteria for review set forth at 5 C.F.R. § 1201.115. This appeal follows.

DISCUSSION

The Board's jurisdiction is not plenary, but is limited to those areas specifically granted by some law, rule, or regulation. See 5 U.S.C. § 7701(a) (1994). In order for the Board to have jurisdiction of an Individual Right of Action appeal from an agency action terminating an appointment under the Whistleblower Protection Act, one of the things that a petitioner must show, by a preponderance of the evidence, is that he engaged in whistleblower activity by making a disclosure protected under 5 U.S.C. § 2302(b)(8), i.e., he disclosed information that he reasonably believed evidenced a violation of law, rule, or regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health and safety. See Ellison v. Merit Sys. Protection Bd., 7 F.3d 1031, 1034 (Fed. Cir. 1993).

Mr. Crews asserts that the unauthorized preferential treatment of the other employee constituted a gross waste of funds and a gross mismanagement. However, Mr. Crews has failed to allege how this action represented a gross waste of funds, a gross mismanagement, or was otherwise improper. Mr. Crews has provided no

evidence that the position created was unnecessary to the proper functioning of the agency, that supervisors were allowing the other employee to neglect his duties, or any other evidence of wrong doing. Mr. Crews' allegations, without further information, do not reflect matters that a reasonable person would believe show a gross mismanagement, a gross waste of funds, or any of the other situations specified in section 2302(b)(8). See Ward v. Merit Sys. Protection Bd., 981 F.2d 521, 526-27 (Fed. Cir. 1992) (holding that petitioner failed to allege facts which a reasonable person could conclude constituted gross mismanagement or a gross waste of funds).

Similarly, Mr. Crews fails to explain how the travel voucher was evidence of a gross waste of funds. The legislative history of the initial whistleblower provisions, originally passed as part of the Civil Service Reform Act ("CSRA"), Pub. L. No. 95-454 (Oct. 13, 1978), now codified in various portions of title 5 of the United States Code, indicates that the Act was not intended to apply to disclosure of trivial or de minimis matters. See S. Rep. No. 969, 95th Cong., 2d Sess. 8 (1978), reprinted in 1978 U.S.C.C.A.N. 2723, 2730 (indicating that the Act is needed as a means to protect the "pentagon employee who discloses billions of dollars in cost overruns, the GSA employee who discloses widespread fraud, and the nuclear engineer who questions the safety of certain nuclear plants"). Congress further showed its intent that the term "gross waste of funds" is to reflect more than just debatable expenditure when it passed the Whistleblower Protection Act of 1989, changing the reference from "mismanagement" in the CSRA to "gross mismanagement". The legislative history explains that the amendment:

> change[s] the definition of protected disclosures from "mismanagement" to "gross mismanagement". While the Committee is concerned about improving the protection of whistleblowers, it is also concerned about the exhaustive administrative and judicial remedies . . . that could be used by employees who have made disclosures of trivial matters. CSRA specifically established a de minimis standard for disclosures affecting the waste of funds by defining such disclosures as protected only if they involved "a gross waste of funds." [By amending the CSRA], the Committee establishes a similar de minimis standard for disclosures of mismanagement by protecting them only if they involve "gross mismanagement."

S. Rep. No. 413, 100th Cong. 2d Sess. 13, 26, 34.

Without providing evidence that the monies expended by the travel voucher were a gross waste of funds and not just a de minimis expenditure, Mr. Crews has failed to demonstrate that he made protected disclosures necessary to establish the Board's jurisdiction.

Thus, we hold that the Board correctly ruled that Mr. Crews' complaint to the Board did not allege "whistleblowing" as the Whistleblower Protection Act defines that term and affirm the Board's dismissal for lack of jurisdiction.

United States Court of Appeals for the Federal Circuit

O R D E R

Before MICHEL, Circuit Judge, FRIEDMAN, Senior Circuit Judge, and BRYSON, Circuit Judge.

A petition for rehearing having been filed by the PETITIONER,

UPON CONSIDERATION THEREOF, it is

ORDERED that the petition for rehearing be, and the same hereby is, DENIED.

The mandate of the court will issue on November 16, 1999.

FOR THE COURT,

Jan Horbaly
Clerk

Dated: November 9, 1999

cc: RANDOLPH CREWS
MARIAN SULLIVAN

FILED
U.S COURT OF APPEALS FO
THE FEDERAL CIRCUIT

NOV 9 - 1999

JAN HORBALY
CLERK

CREWS V ARMY, 99-3182
(MSPB - DC1221980526-W-1)

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* *
* Note: Pursuant to Fed. Cir. R. 47.6, this order is not *
* citable as precedent. It is a public record. *
* *
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United States Court of Appeals for the Federal Circuit

99-3182

RANDOLPH CREWS,

Petitioner,

v.

DEPARTMENT OF THE ARMY,

Respondent.

Judgment

ON APPEAL from the Merit Systems Protection Board

in CASE NO(S). DC1221980526-W-1

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

AFFIRMED.

ENTERED BY ORDER OF THE COURT

DATED OCT 08 1999

JAN HORBALY, CLERK

ISSUED AS A MANDATE: NOVEMBER 16, 1999

C-1

Department of Veterans Affairs
FED BLDG 31 HOPKIN PL
BALTIMORE MD 21201

December 28, 1998

RANDOLPH CREWS
PO BOX 10467
MT. WASHINGTON MD 21209

FILE NUMBER:
20 645 630
R CREWS

DEPARTMENT OF VETERANS AFFAIRS BENEFITS INCREASED

Congress has passed and the President has signed into law an act increasing service-connected benefits from December 1st.

Your new monthly rate of compensation is $316.00; however, your actual deposit may be less if you currently have amounts deducted from your benefits, e.g. insurance premiums.

The provisions of the new law apply to veterans entitled to service-connected disability compensation, surviving spouses, and children entitled to dependency and indemnity compensation.

VA benefit information from your records is expected to be matched with the following agencies to verify accuracy of the information contained in VA records and/or the records of the other agency:

1. Department of Defense to verify a return to active military service.

2. Department of Defense to obtain accurate information concerning waiver of compensation benefits for those veterans who waive VA compensation benefits while on Reserve Training Duty.

3. Social Security Administration to determine whether a veteran being paid at the 100-percent rate because of unemployability is receiving substantial earned income.

4. Bureau of Prisons and Social Security Administration to determine if a beneficiary is incarcerated in excess of 60 days.

5. Social Security Administration to verify the accuracy of eligibility to benefits from the Supplemental Security Income program.

6. U.S. Department of Health and Human Services to assist the states in determining eligibility to Medicaid, Aid to Families with Dependent Children, and Food Stamps.

7. Department of Education to verify veteran status of applicants for financial assistance.

Please advise us immediately if you go on active duty in the Armed Forces or if there is any change in your current address or marital status. If you are receiving additional benefits for dependents, notify us immediately of any change in their status.

Any questions or correspondence should be submitted to the VA Regional Office handling your account. If you do not know which regional office handles your account, contact the office nearest your home. For telephone inquiries, dial the following Toll Free Number: 1-800-827-1000. Hearing Impaired, dial 1-800-829-4833.

DEPARTMENT OF VETERANS AFFAIRS

Honorable Discharge

from the Armed Forces of the United States of America

This is to certify that

RANDOLPH CREWS AF 14515431 A2C AFRES

was Honorably Discharged from the

United States Air Force

on the 3RD day of MAY 1962. This certificate is awarded as a testimonial of Honest and Faithful Service

R. P. Locke

R. P. LOCKE
Lt. COLONEL, USAF

DD FORM 1 NOV 51 256 AF PREVIOUS EDITIONS OF THIS FORM MAY BE USED.

THIS IS AN IMPORTANT RECORD — SAFEGUARD IT!

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Publisher's Note:

Page(s) D-3 missing in original document

Crews v. Dept Army — Special Counsel

[redacted] — I

DOD OFFICIAL INTRA-THEATER MAIL

266TH TFC ATTN AEUFC-CP UNIT 29001
APO, AE 09007

CIVILIAN EMPLOYEES EARNINGS AND LEAVE STATEMENT

PCN	SSN	GR	ST	HRLY/DAILY RATE	ANNUAL RATE	PAY PLAN	SCD	FICA CODE	US TAX MAR ST	US TAX EX	US TAX ADDL	STATE TAX CODE	STATE TAX EX	STATE TAX ADD	BOND BAL	COM BAL	PAY PER
20	243-40-9318	04	01	8.01	16,721	/10	91-02-19	E	2	2		GE	0				95-02-18

MAX CO	LV CT	ANNUAL LEAVE PRIOR YR BAL	ACRD YTD	USED THIS PP	USED YTD	CURR BAL	USE/LOSE	SICK/TEACHER LEAVE PRIOR YR BAL	ACRD YTD	USED THIS PP	USED YTD	CURR BAL	CURR	AWOP YTD	ACRL FACT	HOME LEAVE USED	HA
240	06		18		6			4	12		8		80.0	200.0			

PAYMENT	DESCRIPTION	HOURS	AMOUNT
BASE PAY	not AWOL		204.42

No post allowance

15 years of prior federal Service means 8 hrs Lect.

Flagrant violation OF "financial hardship" for the Disable Handicapped Veteran 30% or more "a Prohibited Personnel Practice!"

OFFical Airforce Honorable Discharge Time:
may 1954 — Dec 1957
Reserve Discharge may 2, 1962

DEDUCTION/DESCRIPTION	AMOUNT
ADDITIONAL OPTIONAL LIFE INSURANCE	35.70
FAMILY OPTIONAL LIFE INSURANCE	2.60
HEALTH BENEFIT DEDUCTION 105	47.15
FERS	1.64
FICA	12.47
MEDICARE	2.91

When Was I AWOL?
95-3742 #8

UNEMP

REMARKS

POST ALLOWANCE INCREASES FOR MOST CIVILIAN EMPLOYEES IN GERMANY THIS PAY PERIOD.

GROSS PAY	204.42
TOTAL DEDUCTIONS	102.72
NET PAY	101.70

TOTAL DEDUCTIONS 102.72

MAILING ADDRESS

RANDOLPH CREWS
265TH TFC
CIVILIAN PAY BRANCH
APO AE 09007

CUM RET*	TAXABLE EARNINGS	NONTAXABLE EARNINGS	RETIREMENT	FICA	HEALTH INS	FEDERAL TAX
42.05	1,490.37	259.98	11.93	92.39	187.74	13.35
STATE TAX	**CHARITY**	**UNION DUES**	**MEDICARE**	**TSP**	**POST SG**	
			21.61			

REMARKS

YOUR RETRO BASE PAY PAID THIS PERIOD.
YOUR ANNUAL LEAVE ACCRUAL FACTOR CHANGE.
YOUR ANNUAL LEAVE UPDATED DUE TO SCD CHANGE.
YOUR SERVICE COMPUTION DATE CHANGE.

REMARKS: SL 4 AL 5 CR HR: .00

Item #3

BANK ADDRESS MERCHANTS NATIONAL BANK & TRUST ALB

09-2142

[redacted]

96-318

LDC 3443-70-0579-L-1

Dr.med.Manfred Sch .llbächer
Facharzt fur Allgemeinmedizin
Sportmedizin - Psychotherapie
Friedrich-August-Straße 11
55765 Birkenfeld a. d. Nahe
Telefon 06782/2376

Birker .ld. den 16 . 1 . 95

Certifikation

Concerning Mr. Crewes Randolph. born 02.06.34 [redacted]

Mr. Crewes is unable to work from 11.01.95
till 20.01.95.

Dr. med Schnellbächer

95-3742

SOCIAL SECURITY #243-40-9318

Fax Copy to Workers Compensation
Attn: Donna Williams
Fax Number 703-325-7182 [redacted]

WORKERS COMPENSATION CLAIM

AT GREAT PERIL TO MYSELF, I HAVE TR
TO ENGAGE IN "LIFE'S MAJOR ACTIVITY'
A 30% DISABLE HANDICAPPED VETERAN!
WITH A CONTINOUS READING OF HIGH BL
FOR MY AGE, FAR ABOVE NORMAL, AND W
PHYSICAL THERAPY IS A DAY TO DAY THING!
I AM DO RIGHT NOW THIS MONTH 72 HOURS ANNUAL LEAVE AND THE SAME SICK
LEAVE, WOULD YOU BE SO KIND AND SEE THAT I AM GRANTED SICK LEAVE PAY
COVERING THE ABOVE!

THE LOST OF MY RIGHT LEG, THIS MENT.
PHYSICAL DURESS FROM DRIVING TWO HO
WORK AND TWO HOURS FROM WORK IT'S I
PERATIVE THAT I HEED MY DOCTOR'S AD
AND SEEK MEDICAL DISABILITY FROM SA
EMPLOYER!

266th TRAVEL VOUCHER SECTION
ATTN:SUPERVISOR MONICA DEAN

MY ADDRESS IS:

FELSENKIRCHE STR. #57
55743 IDAR-OBERSTIEN

IF YOU NEED TO CONTACT CIVILIAN PERSONNEL, THE HEAD OF THE DEPARTMENT I
BRENDA RICHIE, PHONE:011(49)6221-57-8932/1430, DSN370-8932/1430

266TH 06221-57-7709

99-3182

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DEPARTMENT OF THE ARMY
Headquarters, 266th Theater Finance Command
Unit 29001
APO AE 09007

AEUFC-CT

March 3, 1995

Mr. Randolph Crews
Felsenkirche Strasse #57
55743 Idar-Oberstein

Dear Mr. Crews:

This is official notification that you will be terminated from your term appointment as a Voucher Examiner, GS-540-04, with the 266th TFC and from the Federal service, effective March 10, 1995, for excessive absenteeism, being absent without approved leave (AWOL), and failure to properly request leave.

On September 19,1994, you were hired as a Voucher Examiner, GS-540-04, within the Travel Division, Civilian Pay, at 266th TFC. Since that date you have been absent from work a total of 357 hours as of March 3, 1995. This figure represents 41% of the total available duty hours since your appointment last September. Many of your absences have been with little or no advance notice, and you have offered a number of excuses from personal problems to medical difficulties to justify your absence from duty.

You have been absent from duty without approved leave on a continuous basis since January 12, 1995. Your unauthorized absence commenced shortly after Mr. Art Martin refused to grant you additional leave to cover your absence due to alleged transportation problems you were experiencing in getting to work from your home in Idar Oberstein. Since that date you have failed to properly request leave from me, nor has any approved leave been granted to you by either myself or Mr. Martin. While you have failed to properly request leave, you have submitted three sick leave slips from a Doctor Sohnellbacher indicating that you were unavailable for work from January 11, 1995 through February 3,1995. A recent correspondence received from you, undated, revealed that you will remain away from work due to medical problems with no mention as to when I can expect your return to duty. You have provided no additional medical documentation to substantiate your continued absence and have long since exhausted your sick leave. Consequently, you have been carried as AWOL since January 13, 1995.

The most recent letter I received from you, dated February 23,1995, described your difficulty in getting to work from your residence in Idar Oberstein, and for the first time, raised the issue of leave for disabled veterans. While I am aware of the fact that you collect

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disability pay from the Veterans Administration, this is the first time you have raised the issue of leave in conjunction with your extended unauthorized absence. Given the duration of your unauthorized absence and your failure to properly request leave, to include leave for treatment of any service connected disability, I find little credibility in your raising the issue of mandatory leave for a disabled veteran only after you learned of my decision to terminate your employment.

Your continuing excessive absenteeism, be it due to medical reasons or personal problems, is unacceptable and can no longer be tolerated. When hired, you were informed that we needed an employee who would be available for work on a full time basis given the heavy workload we experience at the 266th TFC. As a result of your unavailability for duty, your co-workers have been required to perform your work in addition to their own. If allowed to continue, the morale and work efficiency of the unit will suffer, and I as the responsible official will not permit this to happen.

The trial period is an extension of the examining process during which you must demonstrate that you are qualified and fit for continued Federal employment. Your excessive absenteeism, with no foreseeable end in sight, is sufficient reason to terminate your term appointment. A Standard Form 50, Notification of Personnel Action, documenting this action, will be sent to you under separate cover.

As you are serving a trial period, you do not have the right to reply to this action or to challenge the merits of this action by grieving this decision or appealing to the Merit Systems Protection Board. However, if you believe that this termination action was based upon (1) partisan political reasons (political affiliation) or marital status; or (2) race, color, religion, sex, national origin, physical handicap,or age, provided such discrimination is raised in addition to (1) above, you may file an appeal with the Merit Systems Protection Board (MSPB) not later than 30 calendar days from the effective date of your termination. Further information on MSPB appeal requirements may be obtained from Mr. Douglas Herrick, Employee Relations Division, Heidelberg Civilian Personnel Service Center, on DSN 370-8513, or civilian 06221578513.

Monica T. Dean

MONICA T. DEAN
Chief, Travel Division

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FEB

DEPARTMENT OF THE ARMY
HEADQUARTERS, 266TH THEATER FINANCE COMMAND
UNIT 29001
APO AE 09007

REPLY TO
ATTENTION OF

22 FEB 1995

AEUFC-CT

MEMORANDUM FOR MANAGEMENT AND EMPLOYEE RELATIONS, ATTN: DOUGLAS HARRICK

SUBJECT: TERMINATION OF EMPLOYMENT - CREWS, RANDOLPH

1. Request termination of employment on Randolph Crews, SSN: 243-40-9318. Mr. Crews started his employment with us on 19 Sep 94, and is still in the one-year probation period.

2. As of 17 Feb 95, Mr. Crews has 832 available hours, 317 unavailable hours and 38% unavailability for work. Request effective date of termination be 3 Mar 95.

3. Point of contact for further information is Monica T. Dean at 370-7709.

MONICA T. DEAN
Chief, Travel Division

17FEB95

357 8 872 a 4:2

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Rev. 4/87
U.S. Office of Personnel Management
FPM Chapter 296

REQUEST FOR PERSONNEL ACTION

UCMRS NO. 17349

PART A - Requesting Office *(Also complete Part B, items 1, 7-22, 32, 33, 36 and 39.)*

1. Actions Requested: TERMINATION OF EMPLOYMENT
2. Request Number: CP-95-054
3. For Additional Information Call (Name and Telephone Number): CHERYL ARMSTRONG, SECRETARY, 370-7776/8280
4. Proposed Effective Date: 03-18-95 ASAP
5. Action Requested By (Typed Name, Title, Signature, and Request Date): CHERYL ARMSTRONG, SECRETARY (02/22/95)
6. Action Authorized By (Typed Name, Title, Signature, and Concurrence Date): A.J. MARTIN, DIRECTOR, CIVILIAN PAY DIRECTORATE (02/22/95)

PART B - For Preparation of SF 50 *(Use only codes in FPM Supplement 292-1. Show all dates in month-day-year order.)*

1. Name (Last, First, Middle)	2. Social Security Number	3. Date of Birth	4. Effective Date
CREWS, RANDOLPH	243-40-9318	06-02-34	03-10-95 ASAP

First Action		Second Action	
5-A. Code: 385	5-B. Nature of Action: Termination During Prob/Trial Period	6-A. Code:	6-B. Nature of Action:
5-C. Code: L2M	5-D. Legal Authority: Reg 315.804	6-C. Code:	6-D. Legal Authority:
5-E. Code:	5-F. Legal Authority:	6-E. Code:	6-F. Legal Authority:

7. FROM Position Title and Number: VOUCHER EXAMINER #3469T
UIC: WGR799 TDA: PARA 114I LN 02

15. TO Position Title and Number:

8. Pay Plan	9. Occ Code	10. Grade or Level	11. Step or Rate	12. Salary	13. Pay Basis
GS	540	04			PA

16. Pay Plan	17. Occ Code	18. Grade or Level	19. Step or Rate	20. Salary/Award	21. Pay Basis

14. Name and Location of Position's Organization:
266TH THEATER FINANCE COMMAND
DIRECTORATE FOR CIVILIAN PAY
ATTN: TRAVEL DIVISION
APO AE 09007

22. Name and Location of Position's Organization:

Employee Data

23. Veterans Preference: 1—None 2—5 Pt 3—10 Pt Disab 4—10 Pt Comp 5—10 Pt Other 6—10 Pt /30% Comp
24. Tenure: 0—None 1—Permanent 2—Conditional 3—Indefinite
25. Agency Use:
26. Veterans Preference for RIF: YES NO
27. FEGLI:
28. Annuitant Indicator: 1—Reempl Ann CS 2—RETO 3—RETM 4—RETO & CS 5—RETM & CS 9—Not Applicable
29. Pay Rate Determinant:
30. Retirement Plan:
31. Service Comp. Date (Leave):
32. Work Schedule: F—Full time P—Part-time I—Intermittent G—FT Seasonal O—PT Seasonal J—INT Seasonal H—FT On Call R—PT On Call — F
33. Part-Time Hours: Per Biweekly Pay Period

Position Data

34. Position Occupied: 1—Competitive Service 2—Excepted Service 3—SES General 4—SES Career Reserved
35. FLSA Category: E—Exempt N—Nonexempt
36. Appropriation Code: 2152020 89-3420 117096.UEFCB Q7QH S91516
37. Bargaining Unit Status:
38. Duty Station Code: GM5550000
39. Duty Station (City—County—State or Overseas Location): HEIDELBERG, GERMANY
40. Agency Data: FPL: Y/N
41. PS: NS
42. CP: N/A
43. CL: N/A
44. CIPMS POS: Y/N ACQ: Y/N EEC: Y/N
45. Educational Level:
46. Year Degree Attained:
47. Academic Discipline:
48. Functional Class:
49. Citizenship: 1—USA 8—Other
50. Vietnam Era Vet: V—Yes N—No
51. Supervisory Status:

PART C - Reviews and Approval *(Not to be used by requesting office.)*

1. Office/Function	Initials/Signature	Date	Office/Function	Initials/Signature	Date
A Manpower	[signature]	27 Feb 95	D		
B Budget	[signature] Cynthia Williams	27 Feb 95	E		
C ER	[signature]	Mar 1, 1995	F		

2. Approval: I certify that the information entered on this form is accurate and that the proposed action is in compliance with statutory and regulatory requirements.

Signature: [signature] Approval Date: 03-02-95

CONTINUED ON REVERSE SIDE

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Previous Edition Unusable After 9/30/88
NSN 7540-01-249-1912

THIS SIDE FOR USE BY INSPECTOR GENERAL

(When completed, this form becomes an official communication in accordance with AR 20-1.)

CASE NUMBER: E5B950169 | CLOSEDDATE (YYMMDD): 950323

OPENEDDATE * (YYMMDD): 950221 | SUSPENSE (YYMMDD): | EXTERNAL SUSPENSE (YYMMDD):

RECIPIENT * M | RECPTMODE * C | CASESTATUS * CL

INITIATOR:

LASTNAME * CREWS | FIRST RANDY | M.I. | SSN 243409318

COMPONENT * P | GRADE * CIV | GENDER * M | RACE * N | HOMEUIC

ACKNOWLEDGEMENT DATE (YYMMDD): | SOURCE * P

COMPLAINANT:

LASTNAME * CREWS | FIRST RANDYE S | M.I. | SSN 243409318

COMPONENT * P | GRADE * CIV | GENDER * M | RACE * N | HOMEUIC

ADDITIONAL INFO:

CASE LABEL * CREWS, RANDY | HOME IG E5B

PROBLEM AREA * CIVILIAN PAY | NOTIFICATION (YYMMDD):

INSPECTOR GENERAL ZIEHLKE JOAN M

FUNCTION INFO:

*FUNCTION CODE	*AGCMD AGNCY	*DETER	AGAINST UIC	USER CODE
OJ	E5B	A		
OA	E5B	A		

SUBJECT INFO:

*LASTNAME | FIRST | M.I. | SSN

*GRADE | *GENDER | *RACE | AGCMD AGNCY | AGUIC

SYNOPSIS: (Enter case summary, facts determined, action taken):

Individual requested assistance in getting paid for advance sick leave taken. An inquiry revealed that the individual put in a request for advanced sick leave, but it was denied by the supervisor. Contacted the Director of 266th Finance, who told us that the individual was being terminated due to excessive absentism and could not grant the advance sick leave. Spoke to the individual who stated that workman's compensation

**

* INDICATES A REQUIRED DATA ELEMENT ** INDICATES ADDITIONAL DATA

DA PROTOTYPE 1559-E, MAR 94

SYNOPSIS: (Continued)
forms were submitted to the supervisor because the individual believes the health problems that were encoutered were job related. Contacted the supervisor who confirmed that they received the forms but not file them because they did not have enough information from the individual's doctor to substantiate that it was job related. Informed the individual by letter that we no longer have any issues.//CASE CLOSED//